

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Final Office Action dated October 4, 2007. Reconsideration and allowance of the application in view of the remarks to follow are respectfully requested.

Claims 1-12 are currently pending in the Application.

In the Office Action, Claims 1-5 and 7-12 are rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,987,221 to Platt ("Platt"). Claim 6 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Platt in view of U.S. Patent No. 6,392,133 to Georges ("Georges"). This position is respectfully traversed. It is respectfully submitted that claims 1-12 are allowable over Platt alone and in view of Georges for at least the following reasons.

Platt shows a system for generating playlists using desirable seed items and undesirable seed items (see, Col. 2, lines 16-23 as cited in the Office Action). While the seed items may include media, such as audio and video media (see, Col. 4, lines 17-20 cited in the Office Action), it is respectfully submitted that a playlist is a list of media items that are played consecutively.

The system of Claim 1 is not anticipated or made obvious by the teachings of Platt. For example, Platt does not disclose or suggest, a system that amongst other patentable elements, comprises (illustrative emphasis provided) "identifying means for identifying that the user concurrently uses a second content of a second type, said second content being unrelated with the first content, and associating means for associating said second content with the first content" as required by Claim 1, and as similarly required by Claim 11. Georges is cited for allegedly showing a feature of dependent claim 6 but does not cure the noted deficiencies of Platt.

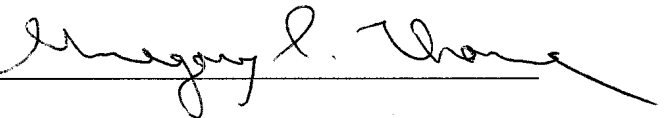
Based on the foregoing, the Applicants respectfully submit that independent Claims 1 and 11 are patentable over Platt alone and in view of Georges and notice to this effect is earnestly solicited. Claims 2-10 and 12 depend from Claim 1 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration and allowance of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the

foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

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